

10/539291

Atty. Dkt. No. 035394-0292

JC17 Rec'd PCT/PTO 16 JUN 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Timothy Tak Chun YIP et al.  
Title: SERUM BIOMARKERS IN LUNG CANCER  
Int'l. Appl. No.: PCT/US03/37090  
Int'l. Filing Date: December 16, 2003  
Examiner: Unassigned  
Art Unit: Unassigned

INFORMATION DISCLOSURE STATEMENT  
UNDER 37 CFR §1.56

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR §1.56.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

TIMING OF THE DISCLOSURE

The listed documents are being submitted in compliance with 37 CFR §1.97(b), within three (3) months of the filing date of the application.

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RELEVANCE OF EACH DOCUMENT

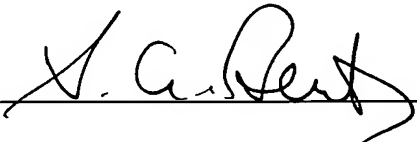
The documents being cited in the attached PTO/SB/08 were cited as being relevant during the prosecution of the corresponding international application. A copy of the International Search Report is attached setting forth the portion of the documents considered relevant by the examiner. A copy of the cited references listed in the Search Report is not being submitted herewith.

Applicants respectfully request that each listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Respectfully submitted,

Date 15 June 2005

By 

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Substitute for form 1449B/PTO

INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT

Date Submitted: June 16, 2005

(use as many sheets as necessary)

Sheet

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Complete if Known 001539291

|                        |                      |
|------------------------|----------------------|
| Application Number     | Unassigned           |
| Filing Date            | Unassigned           |
| First Named Inventor   | Timothy Tak Chun YIP |
| Group Art Unit         | Unassigned           |
| Examiner Name          | Unassigned           |
| Attorney Docket Number | 035394-0292          |

## U.S. PATENT DOCUMENTS

| Examiner<br>Initials* | Cite<br>No. <sup>1</sup> | U.S. Patent Document |                                      | Name of Patentee or Applicant of Cited<br>Document | Date of Publication of<br>Cited Document<br>MM-DD-YYYY | Pages, Columns, Lines, Where Relevant<br>Passages or Relevant<br>Figures Appear |
|-----------------------|--------------------------|----------------------|--------------------------------------|----------------------------------------------------|--------------------------------------------------------|---------------------------------------------------------------------------------|
|                       |                          | Number               | Kind Code <sup>2</sup> (if<br>known) |                                                    |                                                        |                                                                                 |
|                       | A1                       | 2003/0091976         |                                      | BOSCHETTI et al.                                   | 5/15/2003                                              |                                                                                 |
|                       |                          |                      |                                      |                                                    |                                                        |                                                                                 |
|                       |                          |                      |                                      |                                                    |                                                        |                                                                                 |
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## FOREIGN PATENT DOCUMENTS

| Examiner<br>Initials* | Cite<br>No. <sup>1</sup> | Foreign Patent Document |                     |                                      | Name of Patentee or<br>Applicant of Cited Documents | Date of Publication of<br>Cited Document<br>MM-DD-YYYY | Pages, Columns, Lines, Where<br>Relevant<br>Passages or Relevant<br>Figures Appear | T <sup>6</sup> |
|-----------------------|--------------------------|-------------------------|---------------------|--------------------------------------|-----------------------------------------------------|--------------------------------------------------------|------------------------------------------------------------------------------------|----------------|
|                       |                          | Office <sup>3</sup>     | Number <sup>4</sup> | Kind Code <sup>5</sup><br>(if known) |                                                     |                                                        |                                                                                    |                |
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## NON PATENT LITERATURE DOCUMENTS

| Examiner<br>Initials* | Cite<br>No. <sup>1</sup> | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the<br>item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where<br>published. | T <sup>6</sup> |
|-----------------------|--------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|
|                       | A2                       | International Search Report of PCT/US03/37090.                                                                                                                                                                                                                       |                |
|                       | A3                       | K. CHAPMAN, "The Protein Chip Biomarker System from CIPHERGEN Biosystems: a novel proteomics platform for rapid biomarker discovery and validation", Biochemical Society Transactions. April 2002, Vol. 30, part 2, pp. 82-87.                                       |                |
|                       | A4                       | POON et al., "Comprehensive Proteomic Profiling Identifies Serum Proteomic Signatures for Detection of Hepatocellular Carcinoma and Its Subtypes", Clinical Chemistry, May 2003, Vol. 49, No. 5, pp. 752-760.                                                        |                |
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Examiner  
SignatureDate  
Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.<sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

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